Department of Revenue

OFFICE Board of Revenue

STATION Madras

M b **No.** 1501	
Dated 4/6/40	

Pages in the file

(SUBJECT.)

Alienation - Land - Rly. (S. Kanara) Mangalore to Kasaba Bazaar Vge - T.S. nos. 1382/4B2, 1382/6 & 161/3 School, garden & playground - municipal council. S Kanara authorised.

Ref.C.No. 8214-38-B3. South Kanara Collector's Office
Mangalore, dated 17 - 9 - 1939.

From

Sri Rao Bahadur C.P. Karunakara Menon,
Collector of South Kanara.

To

The Secretary to the Board,
Land Revenue and Settlement,
M a d r a s.

Sir,

Alienation - land and revenue - Mangalore Tal Kasba Bazaar village (Mangalore Town) - T.S.Nos. 1382/4B1, 1382/4B2, 1382/6 and 161/3 -Road, school, garden and play ground - Municipal Council, Mangalore - proposal submitte

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I enclose applications for alienation of lar and land revenue in respect of T.S.Nos. 1382/4B1, 1382/4B2 1382/6 and 161/3 of Kasba Bazaar village, Mangalore Taluk in favour of the Municipal Council, Mangalore, for the purposes of road, school, garden and playground, respectively The plots T.S.Nos. 1382/4B1, 1382/4B2 are registered as garden lands (Government) and T.S.Nos. 1382/6 and T.S. 161/3 as poramboke burial ground. Enquiry shows that there are no races of burials in T.S. 161/3.

2. All these plots have long been in the njoyment of the Municipal Council, Mangalore, being utilised or the purposes aforesaid. The school building in T.S.No. 382/6 was built about the year 1915; T.S. No. 1382/6 also ontains a laterine; T.S.No. 1382/4B2 contains a watcher's hed now used as a store room and a well. These are ecessary appurtenances to the school. All the improvements re marked as details in the sketch enclosed and their cost s roughly estimated at Rs. 2800/-. The plots also contain few fruit trees conserved by the Municipal Council. The

circumstances under which the Municipal Council was allowed to enter on these lands and effect the improvements, could not be ascertained.

I enclose a copy each of the lists of conditions agreed to by the Municipal Council in its resolutions Nos. 71 dated 27-8-38, 58 dated 10-10-38 and 61 dated 13-3-39 copies of which are also enclosed. I recommend that the alienation of land and revenue as detailed in the applications for alienations of the plots in question may be sanctione As the trees have been conserved by the Municipal Council, no tree value is collectable from it. There is no question of the levy of back assessment as the Municipal Council has not been deriving any income

Application for the alienation of land in which the proprietary right belongs to the State.

DISTRICT South Kanara

1	Description and area.	T.S. No. 1382-4B1 of Kasba/Bazaar village in Mangalore taluk, measuring 132 Sq.ft. acres. (0.01 acre)
2	Value .. Market (a) ~~Freehold~~ .. .. (b) Subject to ~~ground-rent~~ or assessment.	9-1-7 at Rs. 3000 per acre
3	Alienees and purpose of alienation ..	Municipal Council, Mangalore For the purpose of road.
4	Collector's remarks	Recommended.

South Kanara Collector's office,
Mangalore, dated 17 - 9 -1939.

For Collector.

Note.—The difference between the amounts of 2 (*a*) and 2 (*b*) should equal 25 times assessment or ground-rent calculated according to B.S.O. No. 21.

pplication for the alienation of Land Revenue payable to Government.

(Standing Order No. 24, Paragraph 17.)

District South Kanara.

Description and area	T.S. No. 1382-4B1 measuring 132 Sq. ft. 0.01 acres in Kasba Bazaar village Mangalore Taluk.
(*a*) Annual assessment ~~(or ground rent)~~ ..	Re.0-3-0
(*b*) Capitalised value (25 times assessment) ~~(or ground rent)~~.	Rs. 4-11-0
Alienees and purpose of alienation ..	Municipal Council, Mangalore. For the purpose of road.
Collector's remarks	Recommended.

South Kanara Collector's Office,
Mangalore, dated 17 - 9 - 1939.

For Collector.

Appendix XXVIII. (*S.O. No.* 24, *paragraph* 9.

Application for the alienation of land in which the proprietary right belongs to the State.

DISTRICT of South Kanara.

1	Description and area.	T.S.No.1382/4B2 (4224 Sq.ft or 0.10 acre) T.S.1382/6 (8276 Sq.ft. or 0.19 acre) ~~S. No. of village in~~ T.S.No.161/3 (3485 Sq.ft. or 0.08 acre) of Kasba Bazaar village, Mangalore Taluk, ~~measuring acres~~)
2	Market Value .. (a) ~~Freehold~~ ..	Rs. 1100-14-3 at Rs. 3000 per acre.
	(b) ~~subject to ground-rent or assessment~~	
3	Alienees and purpose of alienation ..	Municipal Council, Mangalore. 2060 Sq.ft.f purpose of school. 2440 Sq.ft. for purpose garden, 11485 Sq.ft. for purpose of playgr
4	Collector's remarks	Recommended.

South Kanara Collector's office,
Mangalore, dated 17 - 9 - 1939.

For Collector.

Note.—The difference between the amounts of 2 (*a*) and 2 (*b*) should equal 25 times assessment or ground-rent calculated according to B.S.O. No. :

R.F. XVIII-B-6.

Application for the alienation of Land Revenue payable to Gover.....nt.

(Standing Order No. 24, Paragraph 17.)

District of South Kanara.

Description and area	T.S.1382/4B2 measuring 4224 Sq.ft. or 0.10 acre. T.S.1382/6 " 8276 Sq.ft or 0.19 acre. T.S.161/3 " 3485 Sq.ft. or 0.08 acre. Kasba Bazaar village Mangalore Taluk. ~~Taluk~~.
(*a*) Annual assessment ~~or ground-rent~~ ..	(a) T.S.No.1382/4B2 Rs.1-8-0 (Special rate at Rs.17 per acre). T.S.No.1382/6 Rs.2-2-0) At the ground T.S.No.161/3 Rs.0-14-0) rent rate of Rs. 11-4-0 per acre
(*b*) Capitalised value (25 times assessment) ~~or ground-rent~~).	(b) Rs. 112-8-0
Alienees and purpose of alienation ..	T.S.Nos. 1382/4B2, 1382/6 and T.S.161/3. 2060 Sq.ft. for purpose of school. 2440 " for purpose of garden. 11485 " for purpose of play ground. Municipal Council Mangalore
Collector's remarks	Recommended.

South Kanara Collector's office,
Mangalore, dated 17-9-1939.

For Collector.

Extract from the Proceedings of the Mangalore Municipal Council dated the 27th August 1938.

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xx xx

71. Read letter L.Dis. 3851-38 dated the 24th June 1938 f the Collector of South Kanara requesting to seek alienation of the plots T.S.No. 1382/4B2 and 1382/6 for school purposes and T.S.No.1382/4B1 for road purposes and the draft conditions of alienations.

Note: The Council is requested to agree to the conditions put up.

The Council agrees to the conditions.

xx xx xx

Sd/- B. Venkatrao Baliga,
Chairman, M.C.

(True Extract)

Municipal ~~Council~~ Office, }
Mangalore 3-9-38. }

Sd/- x x x
Commissioner, M.M.

(True copy)

For Collector. 19.9.38

Extract from the Proceedings of the Mangalore Municipal Council dated 10th October 1938.

xx xx xx

Resolution ~~Read~~ No.58.

Read Collector's letter dated the 9th September 1938 requesting to send a copy of the Council's resolution agreeing to further conditions mentioned in the appendix to it in respect of the alienation of land and land revenue of T.S.No. 1382/4B1 and 4B2 and 1382/6 the site of the Kandathpally Boys' school.

The Council agrees to the further conditions.

xx xx xx

Sd/- B. Venkatrao Beliga,
Chairman, M.C.

(True copy)

Municipal ~~Council~~ Office, Mangalore
Dated the 31st October 1938

Sd/- x x x
Commissioner, M.M.

(True copy)

For Collector. 4/11/38

Conditions.

1. The land comprised in S.No. 1382/4B2 and 1382/6 of Casba Bazaar village, measuring 4224 Sq. ft. 8276 sq. ft. in extent shall be used for the purposes of the school (2060 sq. ft.) and school garden (2440 sq. ft.) and play ground (~~8000~~ 11495 sq. ft.) attached to the school.

2. No new building shall be constructed on the land without the previous permission of the Collector.

3. The grantee shall maintain the building (already existing on the plot) in good condition. Such repairs as the Collector may consider necessary from time to time shall be executed by the grantee within such time as the Collector may fix and to his satisfaction. In the event of default, the repairs shall be carried out by the Collector and the cost thereof recovered from the grantee.

4. The school shall be open to members of all classes including the Depressed classes.

5. The Government may resume the land wholly or in part with any buildings thereon if the school is not recognized, if the recognition once granted is subsequently withdrawn or in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee (and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant). If there are buildings, the Government may direct the grantee to remove them.

6. The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government, the land is required for a public purpose or for conducting mining operations.

7. In the event of resumption under condition 7, if there are buildings on the land the Government may at their option either--

(a) purchase the buildings, or

(b) direct the grantee to remove the buildings.

8. In the event of the resumption of the land followed the purchase of the buildings under condition 8 or in the ent of the acquisition of the land for any reason, the com- nsation payable for buildings or other improvements shall no case exceed the initial cost or the value at the time of sumption or acquisition whichever may be less of any build- gs erected or other improvements effected on the land by e grantee in accordance with the terms of the gr... But no circumstances shall any compensation be paid by Govern- nt in respect of the buildings already existing now or in spect of buildings constructed in contravention of condition

The amount of any grant which may be made by Government wards the cost of any buildings shall be deducted from the mpensation payable to the alienee.

9. In the event of the grantee refusing to remove e buildings when so directed under conditions 6 or 8 the vernment may remove them and realise the cost of the removal the sale of the materials.

10. In the event of the voluntary relinquishment of the nd by the grantee, no compensation shall be payable for any provements that may have been effected or for works that may

Additional Conditions

1. Full land revenue shall be collected from the alienee if at any time it is found that any net income is derived from the land, or if any of the conditions of alienation are infringed In the latter case land revenue shall be imposed from the date of infringement.

2. The market value of the land shall be collected if at any time it is found that the alienee derives a substantial income from it.

3. The Government reserve to themselves the rights to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots ~~or~~ and branches and remove them from the land at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the District.

4. The alienee shall take all reasonable measures to the satisfaction of the Collector of the District for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

5. The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with.

6. In the event of the infringement of, or failure to observe any of the conditions mentioned in Council Resolution No. 71, dated 27-8-1938 and 1 to 6 mentioned herein the alienee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled

to any compensation whatever.

/True Copy

Warrance
For Collector. [illegible]

Bond
19'1

The land shall be used for the purposes of road within 6 months from the date of grant and for no other purpose.

Taluk	...	Mangalore.
Village	...	Casba Bazaar
	...	1382/4B1
Extent	...	132 sq. feet or 1 cent.
Assessment		

2. No buildings shall be erected on the land without the previous permission of the Collector.

3. The Government may resume the land wholly or in part with any buildings thereon in the event of the infringement of any of the conditions of the grant. In the event of such resumption, no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee. If there are buildings on the land, the Government may direct the grantee to remove them.

4. The Government may resume the land wholly or in part with any buildings thereon, if in the opinion of the Government. the land is required for a public purpose or for conducting mining operations.

5. In the event of resumption or acquisition of the plot for any reason, no compensation shall be payable for any buildings erected without permission.

6. In the event of resumption under condition 4, if there are buildings on the land, the Government may at their option either

(a) purchase the buildings or

(b) direct the grantee to remove the buildings

7. In the event of the resumption of the land followe by the purchase of buildings under condition 6 or in the event of the acquisition of the land for any reason the compensation payable for buildings or other improvements -- shall in no case exceed the initial cost or the value at the time of resumption or acquisition whichever may be less of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant.

8. In the event of the grantee refusing to remove the buildings when so directed under conditions 3 or 6, the --- Government may remove them and realise the cost of removal by the sale of the materials

9. In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee.

shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the District.

4. The alienee shall take all reasonable measures to the satisfaction of the Collector of the District for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

5. The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood -- trees are preserved and are not tampered with.

6. In the event of the infringement of, or failure to observe any of the conditions mentioned in Council Resolution No.71, dated 27-8-1938 and 1 to 6 mentioned herein the alienee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

oooooooooo

(TRUE COPY)

For Collector.

19.9.38.

Extracts from the proceedings of the Mangalore Municipal Council, dated the 13th March 1939.

** ** **

61. Read letter No. 8214/38-B3, dated the 9th February 1939 from the Collector of South Kanara, requesting to send a copy of the resolution of the Municipal Council agreeing to the usual conditions of alienation mentioned in the Collector's Standing Order No. 14/1936, (printed) dated the 27th August 1936 as amended by the amendments to the same dated the 11th October 1938 under appendix C. in respect of T.S.No. 161/3 of Casba Bazaar village measuring 3485 sq. ft. required for use as playground for the Kandathpalli school.

The Council agrees to the conditions of alienation mentioned in the Collector's standing order No. 14/36, dated the 27th August 1936 as amended by the amendment to the same dated the 11th October 1938 under appendix C. in respect of T.S.No. 161/3 of Casba Bazaar village measuring 3485 sq. ft required for use as play ground for the Kandathpalli School.

** ** **

(Sd.) B. Venkatarao Baliga,
CHAIRMAN, M.C.

/True Extract/

Municipal Office, Mangalore,)
Dated the 21st March 1939.)

Sd. xx xx xx
COMMISSIONER, M.M.

/True Copy/

For Collector. 19.3.39

19.3.39

Conditions.

The land shall be used for the purposes of a playground and for no other other purpose.

2. No building shall be erected on the land without the previous permission of the Collector.

3. The Government may resume the land wholly or in part with any buildings thereon in the event of the infringement of any of the conditions of the grant. In the event of such resumption, no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee. If there are buildings on the land, the Government may direct the grantee to remove them.

4. The Government may resume the land wholly or in part with any buildings thereon, if in the opinion of the Government the land is required for a public purpose or for conducting --- mining operations.

5. In the event of resumption or acquisition of the plot for any reason, no compensation shall be payable for any buildings erected without permission.

6. In the event of resumption under condition 4, if there are buildings on the land, the Government may at their option either

(a) purchase the buildings or

(b) direct the grantee to remove the buildings

7. In the event of the resumption of the land followed by the purchase of buildings under condition 6 or in the even of the acquisition of the land for any reason, the compensati payable for buildings or other improvements shall in no case exceed the initial cost or the value at the time of resumptio or acquisition whichever may be less of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant.

8. In the event of the grantee refusing to remove the buildings when so directed under conditions 3 or 6, the Government may remove them and realize the cost of removal by the sale of the materials.

9. In the event of the voluntary relinquishment of t land by the grantee, no compensation shall be payable for a improvements that may have been effected or for works that may have been executed on the land by the grantee.

Additional conditions.

1. Full land revenue shall be collected from the --- alienee if at any time it is found that any net income is d rived from the land, or if any of the conditions of alienation are infringed. In the latter case land revenue shall be imposed from the date of infringement.

2. The market value of the land shall be collected if at any time it is found that the alienee derives a suo-

5. The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with.

6. In the event of the infringement of, or failure to observe any of the conditions mentioned in Council Resolution No.71, dated 27-8-1938 and 1 to 6 mentioned herein the alienee shall pay to Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The -- Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

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/True Copy/

For Collector.

19-5-38.

Alienation - Land - Rev-
S. Kanara) Mangalore taluk - Kasl
Bazaar Rgl - T.S. No: 1382/4B1 etc -
Road, school etc - Municipal
Council Mangalore.

E.S. 7223/39 - J. pp 1-2 y

Rey E.S. 7223/39-1 d 4-10-39

The Com- is requested
to obtain the consent of the Munic
Council to the following condition
in respect of T.S. no. 1382/4B1
Required for road: —

"The land shall not be
leased nor
alienated shall any licence wh
ever be either temporary or
permanent be issued except
under the provisions of section
183(3) of the Madras Dt. Munici
Act or the rules framed under the A

P 1086 - Mad Code
Vol III Rpk
(25)

29
hurtl

By 2/ from the sketch it is appa
already
that there is a road in
1382-4A
T.S. no ~~B 82~~/ to the north of
T.S. no 1382-4B2 Connecting
the road in T.S. no 1383. The
Coll. is requested to explain
the need for a road in T.S.

20/4121 ... to ... in reply

sketch showing details of the

fields immediately adjoining

those proposed for alienation

Ho
Zeals

Le
3.x.39

To

The Estate ... Scam

into a sketch to

ret? with reply

4 29
pd

Ref.No.B3-8214/38.

South Kanara Collector's Office
Mangalore, 1st December 1939

Alienation - Land and Revenue - Mangalore Taluk - Kasba Bazaar village - T.S.No.1382-4B1 etc. - Road, school etc. purposes - Municipal Council, Mangalore.

Ref Reference: Board's Ref.E-5773-39, dated 4.10.39.

The Municipal Council, Mangalore is agreeable to the condition imposed by the Board of Revenue in the reference cited above. A copy of the Council's resolution dated 6.11.39 is enclosed.

2. The topographical sketch showing the details of the fields immediately adjoining those proposed for alienation is also enclosed. T.S.No.1382/4B1 recommended for alienation for road purpose is proposed to be used for rounding off the corner of the private lane in T.S.No.1382/4A at its junction with the Municipal public road in T.S.1383 so as to facilitate motor lorry traffic from the lane to the public road. The owner of T.S.No.1382/4A where a tile factory is situated moved the Municipal Council in the matter and has consented to bear the expenses in this connection.

3. I inspected the locality. The private lane to the tile factory in T.S.No.1382/4A is 11 ft. wide and the public road in T.S.1383 is 21½ ft. wide with very little traffic. The owner of the tile factory wants the tiny bit of land on one side of the lane to be converted into road in order to

splay one end of the private lane on one side. I do not think that such splaying on one side would help very much. The factory is 24 years old and the lane has been used for many years in its present condition. The Municipal road in T.S.No.1383 is wide enough for lorry traffic. It has very little wheeled traffic. The widening of the mouth of the lane would, however, avoid a sharp bend, but it means the creation of a tiny subdivision and the increase of maintainable stones by one.

For Collector.

Extract from the Proceedings of a meeting of the Mangalore Municipal Council, dated the 30th October 1939.

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xx xx xx

50. Read letter Ref.B3/8214/38, dated the 16th October 1939 from the Collector of South Kanara, requesting to send a copy of the resolution of the Municipal Council ag ing to the condition mentioned therein in respect of T.S.No 1382/4B1 of Kasba Bazaar village.

The Council agrees to abide by the further condition mentioned in the Collector's letter referred to.

xx xx xx

Sd/- B.Venkatarao Balig
Chairman, M.C.

/True Extract/

Municipal office, Mangalore,
Dated the 6th November 1939.

Sd/- xx xx xx
Commissioner, M.M.

/True Copy/

For Collector.

2.12.39

Extract from the Proceedings of a meeting of the Bangalore Municipal Council, dated the 30th October 1939:

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xx xx

50. Read letter Ref.B3\8214\38, dated the 16th October 1939 from the Collector of South Kanara, requesting to send a copy of the resolution of the Municipal Council agreeing to the condition mentioned therein in respect of T.S.No. 1382\4B1 of Kasba Baagar village.

The Council agrees to abide by the further condition mentioned in the Collector's letter referred to.

xx

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..	11.1	
When copied ..		
When examined..		
When signed ..		
When despatched.		

SUBJECT:— Alienation of Land & Reserve - Kalpetta (Wynaad) - Mangalore Tk. Kalpetta Bazaar vill:- TS nos 1382/4 etc - Road, school etc - Municipal Council, Mangalore.

READ AGAIN 11.1, dated ____ 19____.

" " ____ " ____ 19____.

READ *ALSO*:—

D33 4

No. 2477/35 From the Collr. of S. Kanara No. Reports 8214/38 & 1129-G dated ____ 19____.

" ____ " ____ " ____ " ____ 19____.

" ____ " ____ " ____ " ____ 19____.

Order / Resolution Ms. / Rout. No. ____, dated ____ 19____.

In his letter cited above, the Collr. has reported that the owner of the tile factory in TS no 1382/4A wants the trustees land in TS no 1382/4 B, in order to close one end of the private lane on one side and that he has moved the Municipal Council in the matter & has also consented to bear the expenses in this connection. The Collr. is requested to report whether this lane is used as an approach only to the tile factory or to any other buildings

in the locality also. If the former is the case, the Coll is requested to report whether it is not preferable to acquire T.S.no 1382/4B1 to the owners of the said factory on payment of its value rather than alienate it to the Municipal Council for road, as it is not required for improving the municipal public road in T.S.no 1383 / The sketch sent with the B's Ref. no E 5773/35-1, dt 4.6.38 p32 cf has not been received back with the Coll's letter cited above. The Coll is requested to resubmit the sketch.

3/ The topographical sketch p37 cf received from the Coll. is enclosed. The Coll. is requested to mark in it the extents of land required by the Municipal Council for the several purposes if they have not been already indicated in the sketch referred to in para 2 above.

Ref.B6-6214/38. South Kanara Collector's Office,
Mangalore, 5th April 1940.

OFFICE OF THE BOARD OF REVENUE
8 - APR 1940

From

Sri Rao Bahadur V. Ponnuswami Pillai, E 2090
Collector of South Kanara.

To

The Secretary to the Board of Revenue,
Land Revenue & Irrigation,
South Kanara.

Sir,

Alienation - Land and Revenue - Mangalore Taluk - Kasba Bazaar village - T.S.No.1582-4B1 etc. - School etc. purposes - Mangalore Municipal Council, Mangalore - Information - called for - Furnished.

*****

Ref: Proceedings Ref.E-5775/38, dated 6.1.1940 of the Board of Revenue.

*****

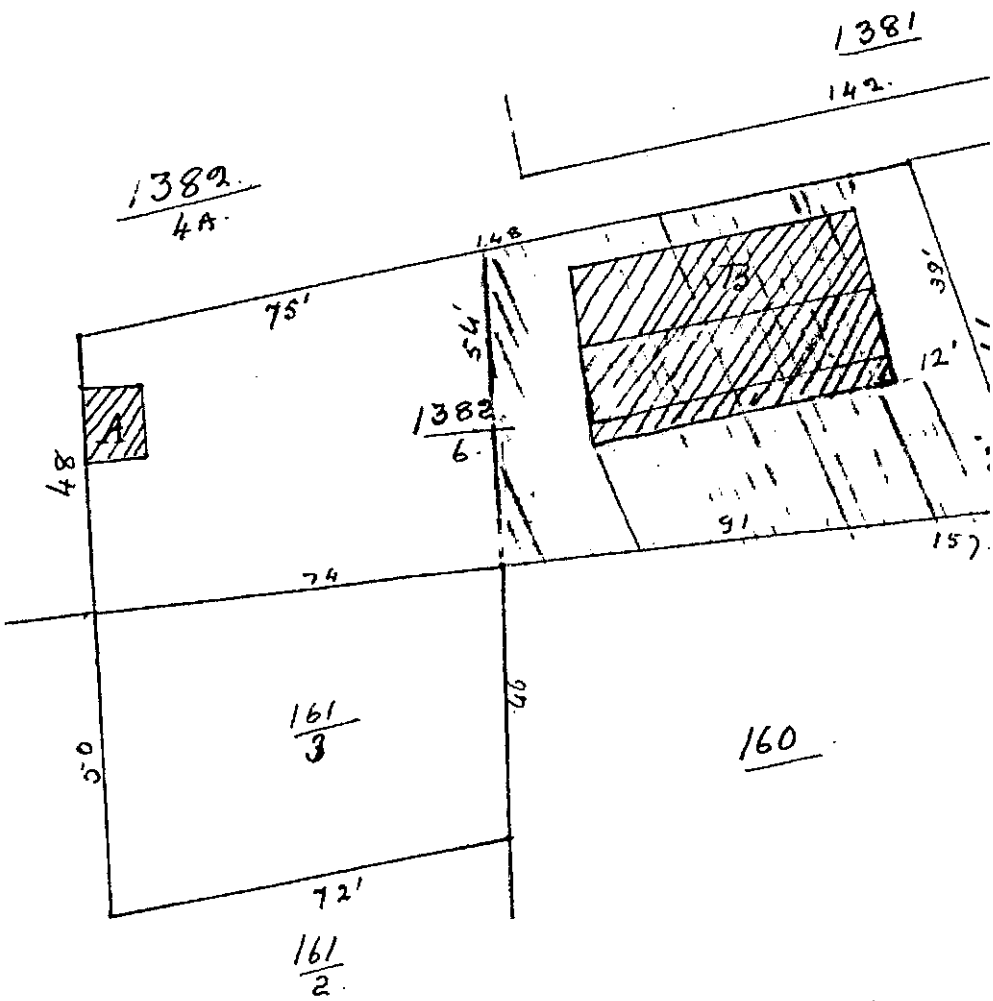
Paragraph 1.- The lane in question is used as an approach only to the Tile factory. There is no objection to the assignment of T.S.1582-4B1 to the owner of the Tile factory on payment of site value. He has consented to take it on payment at Rs.3000/- per acre. The Municipal Council has no objection to the proposal.

Paragraphs 2 & 3.- The sketch referred to in paragraph 2 of the Board's reference does not appear to have been retained in this office as it is not found in my file. A topographical sketch in duplicate showing extents of land required for the several purposes is enclosed.

for Collector.

District - South Kanara

Taluk. - Mangalor.



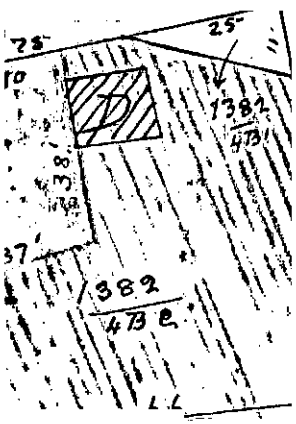
Scale one Inch = 33 Feet

Portion required for play ground & lake approximately 7457 sq. ft.

Portion required for Garden (& well) approximately 1900 sq. ft.

Portion required for School. Approximately 6628 sq. ft.

Village 180 91
Name Kasba bazaar



R.S NO.		T.S NO.		Description
219	473/1	1382	473/1	Portion in which it has been proposed to Construct a road.
—	473/2	—	473/2	Kandathpalli School Compound
—	6		6	Play ground of
1170	3	161	3	
219	4A	1382	4A	Sajinkara Tile Factory Compound.
217	—	1381		Plot belonging to Thanipara
220	—	1383	—	Kandoli road
1169		160		Compound belonging to Kandathil
1170	2	161	2	

Watchers House — now in (Veterinary Office).

A lienation - Land - Revenue - ~~Buildings~~

(S. Kanara) Mangalore Taluk

Kasba Bazaar Village ~~Town~~ T.S.Nos 1382/AB2, 1382/6 and 161/3 - School, garden and playground - Municipal Council South Kanara - Sanctioned

~~Recommended~~ Sanctioned.

Pp 1-2cy ES713.39 -9

~~Extracts~~ Resolution Min 150/ dated 4.6.40

~~At the instance of the Collector of~~

The Board ~~recommends~~ sanctions the alienation of the plots of land comprised in T.S.Nos - 1382/4B2, 1382/6 and 161/3 of Kasba Bazaar Village, Mangalore taluk taluk measuring ~~Ac. 0.10; 0.19; 0.08~~ 4224, 8276 + 3485 Sq.yds in favour of the Municipal Council Mangalore for use as the site of a school garden and playground. As shown below:-

@ School - 2060 Sq.Yds

Garden 2440

Playground 11,485

15,985

2. The alienation will be free of charge for the occupancy right and free of assessment but subject to ground rent ~~assessment which will be liable to revision and subject to the payment of Rs. ground rent being the value of the trees standing on the land and subject also to~~ the following conditions to which the alienee has agreed :-

(1) The land shall be used as the site of a School, garden and playground and for no other purpose.

Condition (2) p 15 of 1. condition (2) p 25 of

(2) No ~~other~~ new building shall be constructed on the ~~out part~~ land for the school and no building shall be constructed without the previous permission of the Collector of the distric

(3) The market ~~value~~ value of the land shall be collected if at any time it is found that the grantee derives a substantital income from the grant.

Condition (4) p. 17 of

(4) The School, playground and garden shall be open to all communities

Condition (4) p 15 of

(5) The grantee shall maintain the building already existing on the land in good condition. Such repairs as the Collr. may consider necessary from time to time shall be executed ~~on the buildings~~ by the grantee within such time as the Collr. may fix and to his satisfaction. In the event of default, the repairs shall be carried out by the Collr. and the cost thereof recovered from the grantee.

Condition (3) p 15 of

(6) The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant. or of the recognition of the school is withdrawn In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee (~~and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant~~). If there are buildings on the land, the Government may direct the grantee to remove them.

(7) The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for a public purpose, or for conducting mining operations. ~~(In the event of such resumption or in the event of the acquisition of the land for any reasons, the compensations payable for the land amdtrees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less.~~

(8) In the event of resumption under condition (7) if there are buildings on the land the Government may at their option either,

(a) purchase the buildings or
(b) direct the grantee to remove the buildings.

(9) In the event of the resumption of the land followed by the purchase of the buildings under condition (8) (a) or in the event of the acquisition of the land for any reason the compensation payable for buildings or other improvements shall in no case exceed (~~the amount paid for them by the grantee at the time of alienation~~ or their value at

the time of resumption or acquisition, whichever may be less together with the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any -- buildings erected or other improvements affected on the land by the grantee in accordance with the terms of the grant. But in no circumstances shall any compensation be paid by the -- Government in respect of buildings constructed in contravention of condition (3). The amount of any grant made by the Govt. towards the construction of any buildings shall be deducted from the compensation payable under this condition

(10) In the event of the grantee refusing to remove the buildings when so directed under condition (6) or (8) (8) the Government may remove them and realise the cost of removal by the sale of the materials.

(11) In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee but the grantee shall be entitled to the repayment of any amount that may have been paid to the Government for the grant or the value of the land at the time of relinquishment whichever may be less.

(12) Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of the alienation are infringed. In the latter case, the land revenue shall be levied from the date of the infringement.

12) The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the district.

14) The alienee shall take all reasonable measures to the satisfaction of the Collector of the district for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

15) The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with; and

16 In the event of the infringement of, or failure to observe any of the conditions (12) to (15), the alienee shall pay to the Government such compensation as is determined by the -- Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whol land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

If the Govt. is agreeable to assign Lake Shafts to T.S.no. 1382-4B1 to the owner of the factory in T.S.no. 1382/4A subject to the payment of the value of the land and its appropriate ground rent.

B'-p27F

To the Collector of S Kanara with a sketch plan p43g

To the Secretary to Government, Revenue Deptt.

with alienation statements ~~in duplicate~~ ~~to be copies~~ pp.....

~~and Sketches~~ pp ~~in original~~) to be copied and sent

Note file.

Alienation - Land - Rent - (S. Kanara) Mangalore (Rayyawari) taluk - Kasba Bazaar Vgl - T.S.Nos. 1382/4B2, 1382/6 and 161/3 - School, garden and playground Municipal council Mangalore. BS.O. 24 (1)

p1.2cf	E 5773.39 £ Coin.	Kanara. Rs.		d 17.9.
p33cf	£ 7449.39 £	do	do	d 1.12.3
p39cf	£ 2090.40 £	do	do	d 5.9.4

Sketch at p 41cf.

p1cf

T.S.No. 1382/4B2 of Kasba Bazaar Vgl Mangalore taluk is registered as garden land (Govt T.S.No: 1382/6 and 161/3 as provincial burial ground. The extent of the fields are respectively 4224 Sq ft 8276 Sq ft and 3485 Sq ft. The Municipal council, Mangalore has been using these plots for the purposes of playground, school and garden for a long time. There is a school building in T.S.No. 1382/6, and it was built about the year 1915. T.S.No 1382/6 also contains a latrine. In T.S. No 1382/4B2, there is a shed which is used as a store room. There is also a well in it. The Municipal council has agreed to abide by the conditions of alienation. As the buildings mentioned above, are appurtenances to the school, there is no objection to alienate these extents in favour of the municipal council. There are some fruit trees on the land conserved by the Municipal council. Their value need not be recovered. The proposal is complete

ne manner where of the land is Rs. 1100

el cap° value of ground rent is Rs 112-8-0

he Board (single Member) may sanction the

lienation free of manner value and of land rent

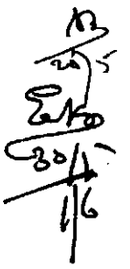
2. A tile factory exists in T.S. No. 1382/4A a
private
narrow strip in the sketch is used as a lane
the property of the owner of the tile factory. The co
his letter dated 17.9.1939 recommends that an ex
1382-
132 sq ft subdivided as T.S. No 4B1. ~~of the village~~
may be alienated along with the other plots referred to i
revious paragraph in favour of the Municipal Council
oad so that this may be used for rounding off
ner of the private lane in T.S. No. 1382/4A, at its jun
ith the Municipal road in T.S. No. 1388. This alien
ll be primarily for the benefit of the private owne
Rao wants the king post bit of land on one side of the
o be converted into a road in order to splay out e
e private lane on one side. The collr. has in
d side and says that the widening of the mouth o
ane would avoid a sharp bend. On a reference dat
3.1.40 whether it is not preferable to assign it to th
wner of the tile factory on payment of its value rat
han alienate it for road to the Municipal Council,
ollr. reports that there is no objection to this and that
wner also has agreed to pay the value of the land & tha
the Municipal Council has also no objection to it :
take steps to
ollr. may be requested to assign it. ~~accordingly~~

A + B may be approved

AS(LR)

To A.S. LR

Draft Submitted



Full Board. ~~Supplementary~~ → 1501
4640

I.A.	A.D.S. & L.R.	Asst. Secretary L. R.	Sett.	Sep. Rev.	Jt. Secy	Secy	M 4	M 3	M 2	M 1

1. Open file seen by

2. Final draft seen by

3. Now circulated to

4. Initials.

Passed for record.

~~Secretary~~
Jt. Secretary

~~A.S.(C.W.)~~

A.S.(L.R.) 8/11.6

~~A.S. (Sett.)~~

A.S.(Excise)

A.D.S.& L.R.

I-A

Note- Entries not required t
be scored out.